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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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UNITED STATES OF AMERICA

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*versus*

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CASE NO. 4:16-CR-34

EMILIO HERRERA-ZAVALA (2)

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**ORDER ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT**

The court referred this matter to the Honorable Kimberly C. Priest Johnson, United States Magistrate Judge, for administration of a guilty plea under Rule 11 of the Federal Rules of Criminal Procedure. Judge Johnson conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued her Findings of Fact and Recommendation on Guilty Plea before the United States Magistrate Judge Kimberly C. Priest Johnson. The magistrate judge recommended that the court accept the Defendant's guilty plea. She further recommended that the court adjudge the Defendant guilty on Count One of the Second Superseding Indictment filed against the Defendant.

The parties have not objected to the magistrate judge's findings. The court **ORDERS** that the Findings of Fact and Recommendation on Guilty Plea of the United States Magistrate Judge Kimberly C. Priest Johnson are **ADOPTED**. The court accepts the Defendant's plea but defers acceptance of the plea agreement until after review of the presentence report. It is further **ORDERED**, that in accordance with the Defendant's guilty plea and the magistrate judge's findings and recommendation, the Defendant, Emilio Herrera-Zavala, is adjudged guilty of the charged offense under Title 21, United States Code, Section 846.

SIGNED at Beaumont, Texas, this 14th day of February, 2017.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE